

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

THURSDAY, February 25, 1965.

10:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Wilbur A. Reid.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Kessler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Absent with leave—Senator Miller—1.

The president pro tempore in the chair.

INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 37 was offered by Senator Meunier.

Amendment No. 1, S. to Senate Bill 73 was offered by Senator Leonard.

Amendment No. 1, S. to Senate Bill 95 was offered by Senator Dempsey.

Amendment No. 1, S. to substitute amendment No. 1, S. to Senate Bill 99 was offered by Senator Hollander.

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Amendment No. 1, S. to Senate Bill 100 was offered by Senator Dempsey.

Substitute amendment No. 1, S. to Senate Bill 102 was offered by Senator Leonard.

Substitute amendment No. 1, S. to Senate Bill 125 was offered by Senator Carr.

The president in the chair.

RESOLUTIONS INTRODUCED

Senate Resolution 15

To amend subs. (1) and (3) of Senate Rule 20, relating to the creation of a Senate Committee on Finance.

Resolved by the senate, That Senate Rule 20, subs. (1) and (3) be amended to read:

Senate Rule 20. (1) The following Standing Committees shall be selected by the Senate as near the commencement of the Session as possible, namely:

(a) On Agriculture, 5 Members.

(b) On Conservation, 5 Members.

(c) On Education, 5 Members.

(d) On Public Welfare, 5 Members.

(e) On Highways, 5 Members.

(f) On Judiciary, 5 Members.

(g) On Labor, Taxation, Insurance and Banking, 5 Members.

(h) On Governmental and Veterans' Affairs, 5 Members.

(i) *On Finance, 5 Members.*

(3) *The Members of the Senate Committee on Finance shall, also, elect five be the Senate Members to of the Joint Committee on Finance, of which number one. The Chairman of the Senate Committee on Finance shall be a Chairman of the Joint Committee.*

By Senator Knowles.

Was read.

The resolution was placed on the calendar of Tuesday, March 2, upon motion of Senator Knowles, with unanimous consent.

Senator Benson rose to a point of order that under Senate rule 89 the notice of one week in advance of amending

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a Senate rule should contain the full amendment as proposed at the time such notice is given.

The president took the point of order under advisement.

Senator Kendziorski rose to a point of order as to whether or not the time the chair had the above point of order under advisement would be included in the 7 days of the notice for amending the rule.

The president took the point of order under advisement.

Senate Resolution 16

Requesting an opinion of the attorney general concerning the present status, as members of the University of Wisconsin board of regents, of Messrs. Ellis E. Jensen of Janesville and Meyer M. Cohen of DePere.

WHEREAS, Mr. Ellis E. Jensen of Janesville was, on October 18, 1955, appointed to the University of Wisconsin board of regents by Governor Walter J. Kohler, Jr.; for the term expiring May 1, 1964, but to serve, pursuant to section 36.02 of the statutes, until a successor has been "appointed and qualified"; and

WHEREAS, the appointment of Mr. Ellis E. Jensen of Janesville to the University of Wisconsin board of regents was confirmed by the senate action of October 19, 1955; and

WHEREAS, Mr. Meyer M. Cohen of DePere was, on May 25, 1964, appointed to the University board of regents by Governor John W. Reynolds but it appears that this appointment was not submitted to the senate of the 1963 legislature for its confirmation; and

WHEREAS, the senate of the 1963 legislature did not confirm the appointment of Mr. Meyer M. Cohen of DePere to the University of Wisconsin board of regents and, as a consequence, Mr. Cohen has not been "qualified" within the meaning of section 990.01 (33) of the statutes to assume the powers and duties of a member of the University of Wisconsin board of regents; now, therefore, be it

Resolved by the senate, That the attorney general is requested to provide an opinion as expeditiously as possible as to the status of Messrs. Ellis E. Jensen of Janesville and Meyer M. Cohen of DePere as members of the University of Wisconsin board of regents.

By Senator Carr.

Was read.

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Senator Carr asked unanimous consent that the resolution be considered at this time.

Senator Zaborski objected.

The resolution was referred to the calendar.

Senate Joint Resolution 38

A joint resolution petitioning the Wisconsin Congressional delegation to seek federal legislation on uniform daylight saving time periods.

By Senators Sussman, Christopherson and Leverich.

Was read.

To committee on Governmental and Veterans' Affairs.

Senate Joint Resolution 39

A joint resolution memorializing the U. S. Postmaster General to provide a unified postal district and post office for the village of Combined Locks.

By Senator Lorge.

Was read.

The joint resolution was referred to the calendar, upon motion of Senator Lorge, with unanimous consent.

BILLS INTRODUCED

Senate Bill 192

Relating to discontinuance of public grounds in cities of the 1st class.

By Senators Sussman, Kendzierski and Schuele.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senate Bill 193

Relating to the service of process involving unlawful detainer notices.

By Senators McParland, Schuele and Benson, by request of Milwaukee County.

Read first time.

To committee on Judiciary.

Senate Bill 194

Relating to sheriff's fees for service of a subpoena.

By Senators McParland and Benson, by request of Milwaukee County.

Read first time.

To committee on Judiciary.

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Senate Bill 195

Relating to bail of persons charged with first degree murder.

By Senators Sussman, Schuele and Benson, by request of Milwaukee County.

Read first time.

To committee on Judiciary.

Senate Bill 196

Relating to private detectives.

By Senators Leonard and Benson.

Read first time.

To committee on Judiciary.

Senate Bill 197

Relating to minimum wages and overtime pay, and providing a penalty.

By Senators Schreiber, Schuele, Lourigan, Hansen and Sussman.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Senate Bill 198

Relating to exempting from taxation homes of paraplegic and double leg amputee veterans.

By Senator Christopherson.

Read first time.

To joint Survey committee on Tax Exemptions.

Senate Bill 199

Relating to inspection of grain by persons from another state and providing a penalty.

By Senator Christopherson.

Read first time.

To committee on Agriculture.

Senate Bill 200

Relating to special programming for crippled children.

By Senator Carr.

Read first time.

To committee on Education.

Senate Bill 201

Relating to schools for nursing.

By Senator Carr.

Read first time.

To committee on Education.

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Senate Bill 202

Relating to the licensing and regulation of television technicians, granting rule-making authority, making an appropriation and providing a penalty.

By Senators Benson, Leonard and Keppler; co-sponsored by Assemblymen Kunde and Brown, by request of Television & Electronics Association of Wisconsin.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Upon motion of Senator Schreiber, with unanimous consent, the senate returned to the 4th order of business.

RESOLUTIONS INTRODUCED

Senate Joint Resolution 40

A joint resolution commending Mr. Peter Ochs and the Milwaukee Continental Youth Bands.

By Senator Schreiber.

Upon motion of Senator Schreiber, with unanimous consent, the joint resolution was considered at this time.

Senate Joint Resolution 40

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

SPECIAL ORDER

Senator Roseleip called the attention of the senate to the Special Order which had been fixed for 9:30 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

Senate Joint Resolution 35

Which had been made the Special Order.

Senate Joint Resolution 35

A joint resolution memorializing Congress to prevent the proposed closing of many veterans' hospitals and other veterans' facilities.

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Was read.

The joint resolution was adopted.

SPECIAL ORDER

Senator Hollander called the attention of the senate to the Special Order which had been fixed for 10:00 o'clock this morning and to the fact that that hour had arrived.

Senate Bill 59

Which had been made the Special Order.

Senate Bill 59

Was read a second time.

Amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 59

Relating to the operation of the department of administration and granting rule-making authority.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senator Miller—1.

So the bill passed.

COMMITTEE REPORT

The committee on Education reports and recommends:

Senate Bill —

Relating to the definition of "basic sciences".

Introduction; Ayes, 5; Noes, 0.

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Senate Bill —

Relating to powers of the board of regents of state universities.

Introduction; Ayes, 5; Noes, 0.

The appointment by the Governor of Dr. Stephen Ambrose, of Whitewater, a member of The Board of Regents of State Colleges, to succeed Foster B. Porter, for the term ending the first Monday in February, 1967.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Thomas M. Cheeks, of Milwaukee, a member of the Coordinating Committee for Higher Education, to succeed Meyer M. Cohen, for the term ending October 16, 1967.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Milton Neshek, of Elkhorn, a member of The Board of Regents of State Colleges, to succeed John K. Kyle, for the term ending the first Monday in February, 1970.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Robert L. Pierce, of Menomonie, a member of The Board of Regents of State Colleges, to succeed Mrs. Alice H. Tilseth, for the term ending the first Monday in February, 1970.

Confirmation; Ayes, 5; Noes, 0.

Senate Bill 120

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

PETER P. CARR,
Chairman.

BILLS INTRODUCED

Senate Bill 203

Relating to the definition of "basic sciences".

By committee on Education, by request of the State Board of Basic Sciences.

Read first time.

To committee on Education.

Senate Bill 204

Relating to powers of the board of regents of state universities.

By committee on Education.

Read first time.

To committee on Education.

EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Burdette O. Binney, of Oconomowoc Lake, a member of the State Highway Commission, to succeed Harvey Grasse, for the term ending March 1, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

February 24, 1965.

Governor.

The foregoing appointment by the governor was referred to the committee on Highways.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Werner J. Schaefer, of Milwaukee, a member of the Board of Directors of the Wisconsin Exposition Department, to succeed himself, for the term ending August 1, 1969.

Respectfully submitted,

WARREN P. KNOWLES,

February 24, 1965.

Governor.

The foregoing appointment by the Governor was referred to the committee on Agriculture.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

Assembly Joint Resolution 4

Assembly Joint Resolution 44 and

Has adopted and asks concurrence in

The action by which the assembly, upon motion of Assemblyman Rogers, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Rev. Paul Oehlent upon the occasion of his retirement after 47 years of continuous service to the Lutheran Congregation in the city of Kaukauna and

The action by which the assembly, upon motion of Assemblyman Mittness, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to the Janesville City Recreation Department upon the occasion of being awarded the Freedom Foundations George Washington Honor Medal. Under the able leadership of Pat Dawson, City Recreation Director, two pageants have been held as well as a primary election for children and a mock political convention have been written, directed and enacted by the children of Janesville. These outstanding accomplishments have been recognized by the nation and its leaders as exemplary of building good citizens and good citizenship.

ASSEMBLY MESSAGE CONSIDERED

Assembly Joint Resolution 4

Read first time.

To committee on Judiciary.

Assembly Joint Resolution 44

Relating to the life and public service of Allen J. Flannigan.

Was read.

The joint resolution was concurred in by unanimous rising vote.

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Ordered immediately messaged to the assembly.

The assembly action under Joint Rule 26 pursuant to motion by Mr. Rogers, was concurred in, upon motion of Senator Lorge.

The senate's action was ordered immediately messaged to the assembly.

The assembly's action under Joint Rule 26 pursuant to motion by Mr. Mittness, was concurred in, upon motion of Senator Carr.

The senate's action was ordered immediately messaged to the assembly.

MOTIONS

The appointment by the Governor of Arthur L. Padrutt, of Madison, a member of the Public Service Commission, to succeed himself, for the term ending the first Monday in March, 1969, on the calendar of Wednesday, February 17th was made a Special Order for 9:00 o'clock Wednesday morning, March 3rd, upon motion of Senator Knowles, with unanimous consent.

Senator Knowles asked unanimous consent that the appointment by the Governor of J. Jay Keliher, of Madison, as State Auditor, to succeed himself, for the term ending October 1, 1969, be recalled from the committee on Labor, Taxation, Insurance and Banking and made a Special Order for 9:05 o'clock Wednesday morning, March 3rd.

Senator Zaborski objected.

Senator Knowles moved that the appointment by the Governor of J. Jay Keliher, of Madison, as State Auditor, to succeed himself, for the term ending October 1, 1969, be recalled from the committee on Labor, Taxation, Insurance and Banking and made a Special Order for 9.05 o'clock Wednesday morning, March 3rd.

The president held that such motion would require a two-thirds vote.

The appointment by the Governor of J. Jay Keliher, of Madison, as State Auditor, to succeed himself, for the term ending October 1, 1969, was recalled from the committee on

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Labor, Taxation, Insurance and Banking and referred to the calendar, upon motion of Senator Knowles, with unanimous consent.

Senator Knowles inquired of the president as to how he came about to hold that his foregoing motion on the appointment would require a two-thirds vote.

The president deferred reply to the point of inquiry by Senator Knowles.

Senate Bill 151

Which had been laid aside temporarily on Wednesday, February 17 was considered at this time, upon motion of Senator Roseleip, with unanimous consent.

Senate Bill 151

Was read a second time

Amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Roseleip, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 151

Relating to a state flag for display at the Marine Corps Schools at Quantico, Virginia and making an appropriation.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senator Miller—1.

So the bill passed.

Ordered immediately messaged to the assembly.

Senator Leonard announced to the senate that Senator Knowles is today celebrating his 49th birthday and, upon motion by Senator Leonard, with unanimous consent, the senate resolved that today's adjournment be in honor of Senator Knowles.

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Upon motion of Senator Knowles, and in accordance with Joint Rule 26, the Legislative Reference Bureau was directed to prepare a suitable joint certificate of Condolences to the family of David Rodli, of Baldwin, St. Croix county, former president of the Board of State College Regents who died on February 19, 1965.

The senate's action was ordered immediately messaged to the assembly with request for the assembly's concurrence therein.

Senate Bill 53

Relating to repealing the licensing of and tax on oleo-margarine.

Senator Schreiber asked unanimous consent that the bill be recalled from the committee on Agriculture and referred to the calendar.

Senator Leverich objected.

Senator Schreiber moved that the bill be recalled from the committee on Agriculture and referred to the calendar.

The president pro tempore in the chair.

Senate Bill 53

The question was: Shall the bill be recalled from the committee on Agriculture and referred to the calendar?

The president in the chair.

Senate Bill 53

With unanimous consent, Senator Schreiber withdrew his foregoing motion on the bill.

Senate Bill 146

Was recalled from the committee on Labor, Taxation, Insurance and Banking and referred to the joint committee on Finance, upon motion of Senator Lorge, with unanimous consent.

Senate Bill 152

Was recalled from the committee on Labor, Taxation, Insurance and Banking and referred to the joint Survey committee on Tax Exemptions, upon motion of Senator Lorge, with unanimous consent.

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Upon motion of Senator Hollander, with unanimous consent, the senate returned to the 5th order of business.

BILLS INTRODUCED

Senate Bill 205

Relating to funeral directors and embalmers and prohibited practices.

By Senator Hollander; co-sponsored by Assemblymen McEssy and Whittow.

Read first time.

The bill was referred to the committee on Judiciary, upon motion of Senator Hollander, with unanimous consent.

Senate Bill 206

Making a dog owner liable for damage to ranch mink when his dog has forcibly entered their enclosure.

By Senator Hollander; co-sponsored by Assemblymen Schwefel, Jahnke and O'Malley.

Read first time.

To committee on Agriculture.

Senate Bill 207

Relating to filing report of consideration for transfer of real estate, and providing a penalty.

By Senator Leonard.

Read first time.

To committee on Judiciary.

Upon motion of Senator Leonard, with unanimous consent, the senate returned to the 3rd order of business.

INTRODUCTION OF AMENDMENTS

Amendment No. 2, S. to Senate Bill 57 was offered by Senator Leonard.

Upon motion of Senator Lorge, with unanimous consent, the senate returned to the 11th order of business.

MOTIONS

Senate Bill 146

Was recalled from the joint committee on Finance and referred to the calendar, upon motion of Senator Lorge, with unanimous consent.

Upon motion of Senator Keppler, with unanimous consent, the senate returned to the 7th order of business.

COMMITTEE REPORT

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends:

Senate Bill 112

Adoption of amendment 1, S.; Ayes, 4; Noes, 0, and passage as amended; Ayes, 4; Noes, 0

Senate Bill 114

Passage; Ayes, 4; Noes, 0.

ERNEST C. KEPPLER,
Senate Chairman.

Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 11th order of business.

MOTIONS

Senator Roseleip was granted leave of absence for next week's session, with unanimous consent.

Upon motion of Senator Knowles, with unanimous consent, all measures remaining on the calendar of Tuesday, February 16, Wednesday, February 17, Thursday, February 18, Friday, February 19, Tuesday, February 23, Thursday, February 25 and Friday, February 26, were ordered consolidated on the calendar of Tuesday, March 2nd.

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GUESTS INTRODUCED

Mr. James Weitzman, of 5535 W. Roosevelt Dr., Milwaukee 16, Wisconsin and editor of the Washington High School Skroll Newspaper was introduced to the senate by Senator Schreiber.

On behalf of Senator Panzer, Senator Hollander announced to the senate that it is honored by the presence of Patricia Doughty and Lu-Anne Wiesman both from Horicon, Wisconsin.

The president and the president pro tempore extended their welcome to all of the guests.

Senator Knowles moved the senate adjourn until 9:00 o'clock Friday morning, February 26, 1965.

The motion prevailed, and in honor of Senator Knowles, the senate adjourned until 9:00 o'clock Friday morning, February 26, 1965.